

## MOTORCYCLIST ADVISORY COUNCIL CHARTER

1. Committee's Official Designation: Motorcyclist Advisory Council (MAC).
2. Authority: Section 1426, Motorcyclist Advisory Council, of the Fixing America's Surface Transportation Act (FAST) Act, Public Law 114-94. This charter establishes a new Motorcyclist Advisory Council in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2.
3. Objectives and Scope of Activities: As specified in Section 1426 of the FAST Act, the objectives of the Motorcyclist Advisory Council are to coordinate with and advise the Federal Highway Administration (FHWA) on infrastructure issues of concern to motorcyclists, including—
  - a. barrier design;
  - b. road design, construction, and maintenance practices; and
  - c. the architecture and implementation of intelligent transportation system technologies.

4. Description of Duties: The Committee shall:
  - a. Provide advice to FHWA on how to improve roadways for motorcyclist safety based on the issues described above; and
  - b. Provide a forum for the development, consideration, and communication of information from a knowledgeable and independent perspective.

The MAC does not exercise program management or regulatory development responsibilities, and makes no decisions directly affecting the programs on which it provides advice.

5. Agency or Official to Whom the Committee Reports: The Committee shall report to the Secretary of Transportation through the FHWA Administrator. The Administrator is the sponsor of the Committee and accepts or rejects recommendations produced by the Committee.
6. Support: FHWA's Office of Safety will provide necessary funding, logistics, and administrative support for the committee. Appropriate staff from the National Highway Traffic Safety Administration (NHTSA) and the Intelligent Transportation System Joint Program Office will be invited to participate in committee meetings.
7. Estimated Annual Operating Costs and Staff: The annual operating costs are estimated to be \$75,000. The Agency estimates that half of one full-time equivalent position will be required to support the MAC.

8. Designated Federal Officer (DFO):

- a. The DFO for the Committee is FHWA's Director of the Office of Safety Technologies or his or her designee.
- b. The DFO will approve or call all Committee and subcommittee meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meetings when he or she determines adjournment to be in the public interest, and chair meetings when directed to do so by the FHWA Administrator.

9. Estimated Number and Frequency of Meetings:

- a. Committee meetings will be held approximately twice a Federal fiscal year. As necessary, additional Committee and subcommittee meetings may be called by the DFO. As used in this charter, the word "meeting" does not include gatherings of MAC members for the purpose of preparatory or administrative work as provided under 41 CFR § 102-3.160.
- b. Notice of each meeting shall be published in the Federal Register at least 15 calendar days prior to the date of the meeting. The meeting agenda and all relevant meeting information will be posted in advance of each meeting on the Web site (<http://safety.fhwa.dot.gov/motorcycles>).
- c. Meetings shall be open to the general public, except as provided under section 10(d) of FACA, as implemented by 41 CFR § 101-6.10, the Government in the Sunshine Act (5 U.S.C. § 522b(c)), 41 CFR Part 102-3, and DOT Order 1120.3B.
- d. Detailed minutes of each meeting shall be certified by the DFO or his or her designee and maintained by the sponsor. The minutes, as certified, shall be available for public inspection and copying at the Web site (<http://safety.fhwa.dot.gov/motorcycles>).

10. Duration: The MAC is a continuing committee, subject to renewal every 2 years.

11. Termination: This charter shall terminate 2 years from its filing date unless renewed in accordance with FACA.

12. Membership and Designation:

- a. The MAC shall comprise not more than 10 members appointed by the Secretary for terms of up to 2 years.
- b. Members serve at the pleasure of the Secretary. The Secretary may extend appointments and may appoint replacements for members who have resigned outside of a stated term, as necessary. Members may continue to serve until their replacements have been appointed.



- c. Members may be reappointed by the Secretary.
  - d. We seek a fairly balanced membership with expertise in highway engineering, safety analysis, and motorcycling. Specifically, the following are the categories of members we seek:
    - Experts from State/local government in highway engineering issues, including:
      - Barrier design;
      - Road design, construction, maintenance; and/or
      - Intelligent Transportation Systems;
    - State/local traffic and safety engineers, design engineers, or other transportation department officials who are motorcyclists;
    - A representative from a national motorcyclist association;
    - A roadway safety data expert on crash testing/analysis; and
    - A member of a national safety organization that represents the traffic safety systems industry.
  - e. To ensure the recommendations of the MAC have taken into account the needs of diverse groups served by the Department, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities, women, and persons with special needs.
  - f. Members appointed solely for their expertise will serve as Special Government Employees. Others may serve as representatives.
13. Subcommittees: FHWA has the authority to establish subcommittees. Subcommittees shall not work independently of the chartered MAC and shall report all of their recommendations and advice to the full MAC for deliberation and discussion. Subcommittees must not provide advice or work products directly to FHWA or DOT.
14. Recordkeeping: The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.
15. Filing Date: The filing date of this charter is October 13, 2016. The Committee will remain in existence for 2 years after this date unless sooner terminated or renewed.